

PTO-1390 (Rev. 10-2004)

Approved for use through 03/31/2007 OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

53262-20097.00

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
10/516075
 TO BE ASSIGNED

INTERNATIONAL APPLICATION NO.
PCT/EP03/07027

INTERNATIONAL FILING DATE
2 July 2003

PRIORITY DATE CLAIMED	4 July 2002
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TITLE OF INVENTION	METHODS FOR OBTAINING PATHOGEN RESISTANCE IN PLANTS
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APPLICANT(S) FOR DO/EO/US Uwe SONNEWALD et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Copy International Preliminary Examination Report
Copy International Search Report

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U.S. APPLICATION NO. (if known, see 37 CFR 1.51) 10/516075 TO BE ASSIGNED		INTERNATIONAL APPLICATION NO. PCT/EP03/07027		ATTORNEY'S DOCKET NUMBER 53262-20097.00	
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21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).	CALCULATIONS PTO USE ONLY																					
	\$ 950.00																					
	\$																					
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:25%;">CLAIMS</th> <th style="width:25%;">NUMBER FILED</th> <th style="width:25%;">NUMBER EXTRA</th> <th style="width:25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>20-20 =</td> <td></td> <td>x</td> </tr> <tr> <td>Independent claims</td> <td>3-3 =</td> <td></td> <td>x</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(s) (if applicable)</td> <td>+</td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td></td> </tr> </tbody> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	20-20 =		x	Independent claims	3-3 =		x	MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	TOTAL OF ABOVE CALCULATIONS =				\$ 950.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																			
Total claims	20-20 =		x																			
Independent claims	3-3 =		x																			
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+																			
TOTAL OF ABOVE CALCULATIONS =																						
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	\$																					
SUBTOTAL =	\$ 950.00																					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).	\$																					
TOTAL NATIONAL FEE =	\$ 950.00																					
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +	\$ 40.00																					
TOTAL FEES ENCLOSED =	\$ 990.00																					
	Amount to be refunded:	\$																				
	Amount to be charged:	\$																				

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 03-1952 in the amount of \$ 990.00
to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 03-1952. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive
(37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 James Remenick
 Morrison & Foerster LLP
 1650 Tysons Blvd, Suite 300
 McLean, VA 22102
 CUSTOMER NUMBER: 25227

SIGNATURE: _____
 NAME: James Remenick
 36,902
 REGISTRATION NUMBER